

UNITED STATES DISTRICT COURT
Eastern District of Michigan

THE HUNTINGTON NATIONAL BANK,
a national banking association, successor to
Fidelity Bank and Community Bank of
Dearborn,

Plaintiff,

v

AUTOMATION PROPERTIES L.L.C., a
Michigan limited liability company, FIRST
PARKER REALTY L.L.C., a Michigan
limited liability company, LANCASTER &
YORK, L.L.C., a Michigan limited liability
company, and CHRISTOPHER M.
REDDING,

Defendants.

Case No.: 2:13-cv-15201-VAR
Hon. Victoria A. Roberts

**DEFENDANTS' ANSWER TO FIRST
AMENDED COMPLAINT and
AFFIRMATIVE DEFENSES, with
Certificate of Service**

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Defendants' Answer to First Amended Complaint

1. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

2. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

3. Defendants admit this allegation, except that defendant does not admit that its principal place of business is 35186 Automation Drive, Clinton Township, Michigan, because that allegation is not true.

4. Defendants admit this allegation, except that defendant does not admit that its principal place of business is 322 Bay Street, Petoskey, Michigan, because that allegation is not true.

5. Defendants admit this allegation, except that defendant does not admit that its principal place of business is 322 Bay Street, Petoskey, Michigan, because that allegation is not true.

6. Defendants admits that Christopher M. Redding is an individual. Defendants deny the allegation that Mr. Redding's domicile is 3851 Adams Road North, Bloomfield Hills, Michigan, because that allegation is not true.

7. Defendants admit this allegation.

8. Defendants admit this allegation.

9. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

10. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

11. Defendants admit this allegation.

12. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

13. Defendants admit this allegation.

14. Defendants admit this allegation.

15. Defendants admit this allegation.

16. Defendants admit this allegation.

17. Defendants admit this allegation.

18. Defendants admit this allegation.

19. Defendants admit this allegation.

20. Defendants admit this allegation.

21. Defendants admit this allegation.

22. Defendants admit this allegation.

23. Defendants admit this allegation.

24. Defendants admit this allegation.

25. Defendants admit this allegation.

26. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

27. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

28. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

29. All of Defendants' previous answers are adopted by this reference.

30. All of Defendants' previous answers are adopted by this reference.

31. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

32. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

33. All of Defendants' previous answers are adopted by this reference.

34. All of Defendants' previous answers are adopted by this reference.

35. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

36. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

37. All of Defendants' previous answers are adopted by this reference.

38. All of Defendants' previous answers are adopted by this reference.

39. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

40. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

41. All of Defendants' previous answers are adopted by this reference.

42. All of Defendants' previous answers are adopted by this reference.

43. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

44. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

45. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

46. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

47. All of Defendants' previous answers are adopted by this reference.

48. All of Defendants' previous answers are adopted by this reference.

49. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

50. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

51. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

52. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

53. All of Defendants' previous answers are adopted by this reference.

54. All of Defendants' previous answers are adopted by this reference.

55. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

56. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

57. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

58. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

59. All of Defendants' previous answers are adopted by this reference.

60. All of Defendants' previous answers are adopted by this reference.

61. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

62. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

63. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

64. Defendants admit this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

65. All of Defendants' previous answers are adopted by this reference.

66. All of Defendants' previous answers are adopted by this reference.

67. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

68. Defendants admit this allegation.

69. Defendants lack knowledge or information sufficient to form a belief about the truth of this allegation.

Defendants respectfully request that this Court should be dismissed with prejudice and that Defendants should be awarded their costs, fees, and expenses, along with any other relief this Court deems equitable.

Respectfully submitted,

July 13, 2016

/s/ John R. Turner

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Affirmative Defenses

1. Plaintiff has failed to state a claim upon which relief can be granted.
2. Some or all of the claims stated in Plaintiff's Complaint are barred in whole or in part by the failure of Plaintiff to mitigate its damages.
3. Some or all of the claims stated in Plaintiff's Complaint are barred in whole or in part because the acts or omissions of Plaintiff have waived or released those claims.
4. Defendants reserve the right to plead additional affirmative defenses.

Respectfully submitted,

July 13, 2016

/s/ John R. Turner

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Attorney for Defendants
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CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2016, I caused the above Answer to First Amended Complaint and Affirmative Defenses to be electronically filed with the Clerk of the Court using the ECF System, which will send notification of this filing to the ECF Registered parties.

Respectfully submitted,

July 13, 2016

/s/ John R. Turner

John R. Turner P38563

Attorney for Defendants

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